

REMARKS

Claims 17-28 and 30-37 are currently pending in the subject application and are presently under consideration. Claims 17-28, 30, 31, 33, 34, 36 and 37 have been amended as shown on pp. 2-6 of the Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to Claims 17 and 22

Page two of the Office Action objects to previously-presented claims 17 and 22. In particular, the Office Action objects to previously-presented claim 17 because “the phrase ‘at least one of the at least one’ in line 6 should apparently be ‘the at least one’.” Claim 17 has been amended to delete the additional recitation of “the at least one,” and the objection is now overcome. Further, the Office Action objects to previously-presented claim 22 because “the phrase ‘and and’ in lines 2-3 should apparently be ‘and’.” Claim 22 has been amended to delete the additional recitation of “and,” and the objection is now overcome. Applicant’s representative requests that the objection to claims 17 and 22 be withdrawn.

II. Rejection of Claims 17-24, 33, 36 and 37 Under 35 U.S.C. §102(e)

Claims 17-24, 33, 36 and 37 stand rejected under 35 U.S.C. §102(e) as being anticipated by Lemaire, et al. (US Patent 5,444,768) (hereinafter “Lemaire”). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Lemaire does not disclose each and every feature recited in the subject claims.

Amended independent claim 17 relates to an electronic document answering machine. In particular, amended independent claim 17 recites:

An electronic document answering machine comprising: a central processing unit (CPU), memory and modem communicatively coupled with a communication medium; a system for rendering documents; an alert device for signaling that at least one new document is **waiting to be reviewed**; an input device to signal rendering of the at least one new document; and a digital port for connecting to a host personal computer (PC), wherein the electronic document answering machine periodically connects to at least one remote source, receives and stores at least one digital document in the memory, and activates the alert device as a new

document is stored, and wherein, in response to the input device receiving an input, the electronic document answering machine renders stored documents, and wherein the electronic document answering machine is adapted to transmit the stored documents to the PC for processing. (Emphasis added).

Lemaire does not disclose each and every feature recited in amended independent claim 1. On page three, the Office Action asserts that “**Lemaire** further teaches an alert device for signaling that at least one new document is waiting to be reviewed,” (emphasis in original), and cites to column 7, lines 6-21 as support for such assertion. To the contrary, Applicant’s representative submits that Lemaire discloses a portable computer device 10 for audible processing of remotely stored messages that has a busy lamp 35 that indicates whether communication between the device 10 and a remote central message facility is **currently in progress** not whether “at least one new document is **waiting to be reviewed**” (emphasis added). (Lemaire, col. 7, lines 6-21). Lemaire states that “[t]he light is “utilized to provide an indication of whether or not communication between portable communication device 10 and a remote central message facility is **occurring**.” (Id.) In some cases, communication can occur, and no messages are retrieved by the device 10. In these cases, the busy lamp 35 will be lit contemporaneous with communication because its purpose is to merely indicate whether the communication line between the device 10 and the remote central message facility is busy (hence the name “busy” lamp). In particular, Lemaire teaches that the light signals **contemporaneous communication**, and not whether “at least one new document is **waiting to be reviewed**” (emphasis added) when it expressly states:

Additionally, portable computer device 10 preferably includes a "busy" lamp 33 which is utilized to provide an indication of **whether or not communication between portable computer device 10 and a remote central message facility is occurring**, without the need for a more complex display. "Busy" lamp 33 may preferably be implemented utilizing a low voltage light emitting diode (LED) or any other suitable means which does not require substantial power. In the depicted embodiment of the present invention, **"busy" lamp 33 will be illuminated during communication between portable computer device 10 and a remote central message facility and will flash or "blink" upon completion of that communication, indicating to the-user that communication has been terminated.** (Lemaire, col. 7, lines 6-21) (Emphasis added).

As further evidence that whether the busy lamp 35 is lit is **wholly independent** of whether there is “at least one new document waiting to be reviewed,” as recited in amended independent claim 17, the busy lamp 35 turns on **before** communication is established with the remote message facility from which the device 10 can retrieve documents. Lemaire expressly explains the timing of turning on the busy lamp 35 with reference to FIG. 6 when Lemaire states:

Referring now to FIG. 6 there is depicted a high level flow chart illustrating the "communication" mode of portable computer device 10 of FIG. 1A and 1B. As described with respect to FIG. 1A and 1B portable computer device 10 includes a communication switch 38 which, when operated, serves to establish communication between portable computer device 10 and one or more remote central message facilities 44 utilizing telephone interface circuit 42 (see FIG. 2) in a manner which will be described in greater detail below. Thus, when communication switch 38 has been operated, the process passes to block 130. Block 130 illustrates a determination of whether or not the telephone system interface is present. That is, whether or not portable computer device 10 is linked to a telephone 33 network utilizing telephone cable 35 in the manner described with respect to FIG. 1A and 1B or alternatively, by utilizing cellular technology. If no interface with a telephone system is detected, the process returns to block 30 and continues to poll the switches of portable computer device 10 to detect the subsequent operation of any selected switch depicted therein. ... **However, in the event a telephone system interface is present, as determined at block 130, the process passes to block 132. Block 132 depicts the turning on of "busy" lamp 33 (see FIG. 1A and 1B) and the blinking of "busy" lamp 33 at a predetermined rate, indicating the termination of communication between portable computer device 10 and a remote central message facility, indicating that communication between portable computer device 10 and a remote central message facility is occurring.** Thereafter, the process passes to block 134. (Emphasis added).

As such, according to the express teaching of Lemaire, while Lemaire may disclose a busy lamp 35 for signaling whether communication between a device 10 and a remote central message facility is ongoing, it does not disclose the feature recited as “an alert device for signaling that at least one new document is **waiting to be reviewed**” (emphasis added).

For at least this reason, Lemaire does not anticipate amended independent claim 17. As such, Applicant's representative requests that the rejection to amended independent claim 17 (and claims 18-24, which depend therefrom) be withdrawn.

Amended independent claim 17 also recites:

An electronic document answering machine comprising: . . . a digital port for **connecting to a host personal computer (PC)** . . . wherein the electronic document answering machine is adapted to **transmit the stored documents to the PC for processing**. (Emphasis added).

Lemaire does not disclose each and every one of the above-referenced features. Rather, Lemaire discloses a personal computer (PC) 302 communicatively coupled to the device 10 and the **PC transmitting to the device 10** programming information, **not the device 10 transmitting "to the PC"** (emphasis added), as recited in amended independent claim 17. (Lemaire, col. 8, lines 36-40; fig. 2). In particular, Lemaire states:

Those skilled in the art will appreciate that a user may be provided appropriate menu-driven instructions within personal computer 302 to facilitate **programming** portable computing device 10 with appropriate numbers, passwords and access codes while thus connected. (Emphasis added).

Further, to the contrary of the assertion on page four of the Office Action, neither figs. 4, 5 or 6 nor labels 134 or 146 nor column 6, lines 55-65 nor column 14, lines 3-24 disclose the recited features. Rather, the cited portions, and Lemaire, in general, merely discloses the personal computer 302 receiving information for programming the device, not for transmitting "stored documents to the PC for processing," as recited in amended independent claim 17.

For at least this reason also, Lemaire does not anticipate amended independent claim 17. As such, Applicant's representative requests that the rejection to amended independent claim 17 (and claims 18-24, which depend therefrom) be withdrawn.

Amended dependent claim 20 is related to another electronic document answering machine. In particular, amended dependent claim 20 recites: "[t]he electronic document answering machine of claim 17, wherein **the electronic document answering machine is adapted for use by the PC as a modem**" (emphasis added). Lemaire does not disclose the

features recited. As discussed above with reference to amended independent claim 17, Lemaire merely discloses a PC receiving inputs for **programming** the device 10, not “[t]he electronic document answering machine of claim 17, wherein **the electronic document answering machine is adapted for use by the PC as a modem**” (emphasis added). Further, contrary to the assertion on page 4 of the Office Action, fig. 6, label 130 merely discloses the device 10 connecting to a telephone network 33 utilizing telephone cable 35. As such, neither the cited portion nor any other portion of Lemaire discloses the above-recited feature.

For at least this reason also, Lemaire does not anticipate amended dependent claim 20. As such, Applicant’s representative requests that the rejection to amended dependent claim 20 be withdrawn.

Amended independent claim 33 is directed to a computing device. In particular, amended independent claim 33 recites:

A computing device, comprising: . . . **an input device** having at least one light emitting diode (LED) integrated in the input device, **wherein the at least one LED signals that the at least one new digital document is stored in memory and ready for review**, and wherein activation of the input device initiates rendering of the at least one new digital document. (Emphasis added).

Based on similar reasons to those provided for amended independent claim 17, Lemaire does not disclose “**an input device** having at least one light emitting diode (LED) integrated in the input device, **wherein the at least one LED signals that the at least one new digital document is stored in memory and ready for review**” (emphasis added). As such, Applicant’s representative requests that the rejection to amended independent claim 33 (and claims 34 and 35, which depend therefrom) be withdrawn.

Amended independent claim 36 is directed to a method for operating a computing device. In particular, amended independent claim 36 recites:

A method, comprising: periodically accessing at least one remote source of electronically addressable digital documents addressed to an addressee; based on the accessing, receiving and storing in memory at least one new digital document addressed to the addressee; **signaling by at least one light emitting diode (LED) that the at least one new digital document is stored in memory;**

and upon activation of an input in which the at least one LED is integrated, rendering the at least one new digital document. (Emphasis added).

Based on similar reasons to those provided for amended independent claim 17, Lemaire does not disclose “[a] method, comprising: . . . **signaling by at least one light emitting diode (LED) that the at least one new digital document is stored in memory**” (emphasis added). As such, Applicant’s representative requests that the rejection to amended independent claim 36 (and amended claim 37, which depends therefrom) be withdrawn.

III. Rejection of Claims 30-32 Under 35 U.S.C. §102(e)

Claims 30-32 stand rejected under 35 U.S.C. §102(e) as being anticipated by Cooper, et al. (US Patent 6,052,442) (hereinafter “Cooper”). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Cooper does not disclose each and every feature recited in the subject claims.

Amended independent claim 30 is directed to a computing device. In particular, amended independent claim 30 recites:

A computing device, comprising: . . . **an alert device that renders video** indicating receipt of the new set of electronic document . . . **wherein the computing device is communicatively coupled to a television and the alert device renders the video indicating receipt of the new set of electronic documents and the television displays the rendered video.** (Emphasis added).

Cooper does not disclose the above-recited features. Rather, Cooper merely discloses an internet answering machine connectable to a telephone line 5 for accessing the internet, and having a display 16 to notify the user of messages that have been received. The display 16 is located within the internet answering machine, and **the displayed information is provided by the internet answering machine.** (Cooper, col. 4, lines 29-47; fig. 1). Thus, Cooper does not disclose the features recited as “wherein the computing device is communicatively coupled to a **television** and the alert device renders the video indicating receipt of the new set of electronic documents and **the television displays the rendered video**” (emphasis added).

For at least these reasons, Cooper does not anticipate amended independent claim 30. As such, Applicant's representative requests that the rejection to amended independent claim 30 be withdrawn.

IV. Rejection of Claims 25-28, 34 and 35 Under 35 U.S.C. §103(a)

Claims 25-28, 34 and 35 stand rejected under 35 U.S.C. §103(a) as being rendered unpatentable over Lemaire in view of Clark, et al. (US Patent 5,666,530) ("Clark"). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Neither Lemaire nor Clark, alone or in combination, teach or suggest each feature recited in the subject claims.

Amended independent claim 25 is directed to an electronic document answering system in a personal computer. In particular, amended independent claim 25 recites:

An electronic document answering system in a personal computer (PC), the electronic document answering system comprising: . . . means for providing a light emitting diode (LED) alert, wherein the means for providing a light emitting diode alert is configured for LED illumination **for signaling that one or more new digital documents have been retrieved and stored and are ready for review** . . . (Emphasis added).

Lemaire does not disclose the feature recited as "[a]n electronic document answering system in a personal computer (PC), the electronic document answering system comprising: . . . means for providing a light emitting diode (LED) alert, wherein the means for providing a light emitting diode alert is configured for LED illumination **for signaling that one or more new digital documents have been retrieved and stored and are ready for review** . . ." (emphasis added) based on similar reasons to those provided above for amended independent claim 17. Clark does not cure this deficiency.

While Clark discloses a system (including a handheld computer coupled to a host computer) for automatic synchronization of a common file between the handheld computer and the host computer and having an LCD video display for receiving user input to the system, Clark does not disclose the feature recited as "[a]n electronic document answering system in a personal computer (PC), the electronic document answering system comprising: . . . means for providing a light emitting diode (LED) alert, wherein the means for providing a light emitting diode alert is

configured for LED illumination **for signaling that one or more new digital documents have been retrieved and stored and are ready for review . . .**” (emphasis added).

For at least these reasons, neither Lemaire nor Clark, alone or in combination, teaches or suggests each of the features of amended independent claim 25. As such, Applicant’s representative requests that the rejection to amended independent claim 25 (and claims 26-28, which depend therefrom) be withdrawn.

Amended independent claim 25 also recites:

An electronic document answering system **in** a personal computer (PC) . . . wherein the electronic document answering system **in the PC** is adapted to operate using means for processing and means for storage operably coupled with the PC (Emphasis added).

As discussed above with reference to amended independent claim 17, Lemaire discloses a device 10 **communicatively coupled to, not in** personal computer 302. As such, Lemaire does not disclose the feature recited as “[a]n electronic document answering system **in** a personal computer (PC) . . . wherein the electronic document answering system **in the PC** is adapted to operate using means for processing and means for storage operably coupled with the PC . . .” (emphasis added). Clark also does not cure this deficiency as, like Lemaire, it merely discloses that the handheld computer is **coupled to, not in** the host computer.

For at least these reasons also, neither Lemaire nor Clark, alone or in combination, teaches or suggests each of the features of amended independent claim 25. As such, Applicant’s representative requests that the rejection to amended independent claim 25 (and claims 26-28, which depend therefrom) be withdrawn.

Further, amended independent claim 25 also recites:

An electronic document answering system in a personal computer (PC) . . . wherein the electronic document answering system in the PC is adapted to operate using means for processing and means for storage operably coupled with the PC, and wherein the means for storage includes special operating code provided for the electronic document answering system, for the electronic document answering system to operate during periods of time when the **PC** is in reduced-power mode as well as when the **PC** is in full operating mode. (Emphasis added).

On page 8, the Office Action admits that Lemaire does not teach the feature recited above. However, contrary to the Office Action, Clark does not cure this deficiency. Clark discloses the **handheld device, not the host computer**, operating in reduced power and full power modes. (Clark, col. 5, lines 24-37 and col. 5, line 65 – col. 6, line 15). Clark expressly states:

FIG. 4 is an electrical block diagram of the **handheld computer H**. While a particular organization is illustrated, it is understood that other organizations, supersets, subsets and partitions of the components can be utilized. **A microprocessor 100 forms the core and processing element of the computer H. Preferably the microprocessor 100 is a 3.3 volt unit for reduced power consumption.** The microprocessor 100 can be a unit such as the 486SL from Intel Corporation or other equivalent units which have high performance and include special power down capabilities. **Indeed, preferably all of the devices contained in the computer H are 3.3 volt versions to reduce power consumption and 5 volt logic is utilized only where lower voltage logic is not available or the alternative is not cost effective.** ... Of particular interest is the power control logic which allows quite flexible capabilities, including outputs for shutting down most of the components in the handheld computer H to allow dramatically reduced power consumption. This is desirable considering that in the preferred embodiment only 4 AA cells 43 are fitted into the battery cartridge 42 and thus the available power is limited. ... Additionally, the power control circuitry preferably includes several modes for clock speed reduction to the microprocessor 100 to reduce its power consumption. As an alternative, portions of the power control circuitry can be located in the DC-DC converter 50. (Emphasis added).

As such, while Clark teaches that the handheld computer operates in reduced power and full power modes, Clark does not teach or suggest the feature recited as “[a]n electronic document answering system in a personal computer (PC) . . . **wherein the electronic document answering system in the PC is adapted to operate** using means for processing and means for storage operably coupled with the PC, and . . . to operate during periods of time when the **PC** is in reduced-power mode as well as when the **PC** is in full operating mode” (emphasis added).

Additionally, page 8 of the Office Action asserts: “[h]aving the cited art at the time of the invention was made, it would have been obvious to one of ordinary skill in the art to add power-

down capabilities to Lemaire's invention for providing reduced power consumption as taught by Clark's invention in order to provide flexible operation capabilities." Even if such was the case, which Applicant's representative makes no such admission, modifying the **device 10**, not the **personal computer 302 in Lemaire**, to have power down capabilities is not the same as the feature recited as "[a]n electronic document answering system in a personal computer (PC) . . . **wherein the electronic document answering system in the PC is adapted to operate** using means for processing and means for storage operably coupled with the PC, and . . . to operate during periods of time when the **PC** is in reduced-power mode as well as when the **PC** is in full operating mode" (emphasis added).

For at least these reasons also, neither Lemaire nor Clark, alone or in combination, teaches or suggests each of the features of amended independent claim 25. As such, Applicant's representative requests that the rejection to amended independent claim 25 (and claims 26-28, which depend therefrom) be withdrawn.

Amended dependent claim 34 recites "[t]he computing device of claim 33, wherein the retriever is adapted to operate using at least one processor of the computing device and memory elements of the computing device with special operating code provided for the computing device." Amended dependent claim 35 recites "[t]he computing device of claim 34, wherein the retriever and the input device are adapted to operate during periods of time in which the computing device is in a reduced-power state."

Based on the reasons provided with regard to amended independent claim 33, from which each of claims 34 and 35 depend, Lemaire does not teach or suggest the features recited in amended independent claim 33 as "[a] computing device, comprising: . . . an input device having at least one light emitting diode (LED) integrated in the input device, wherein the at least one LED signals that **the at least one new digital document is stored in memory and ready for review**, and wherein activation of the input device initiates rendering of the at least one new digital document." (Emphasis added). Clark does not cure this deficiency.

Clark is merely directed to a handheld device coupled to a host computer for file transfer, and merely includes an **LCD video display for receiving a pen input**, not for signaling that "**the at least one new digital document is stored in memory and ready for review**" (emphasis added).

For at least these reasons also, neither Lemaire nor Clark, alone or in combination, teaches or suggests each of the features of amended independent claim 33. As such, Applicant's representative requests that the rejection of dependent claims 34 and 35, which depend from amended independent claim 33, be withdrawn.

V. Rejection of Claims 25 and 26 Under 35 U.S.C. §103(a)

Claims 25 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cooper in view of Perlman, et al. (US Patent 5,896,444) (hereinafter "Perlman") and further in view of Clark. It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Neither Cooper nor Perlman nor Clark, alone nor in combination, teaches or suggest each feature recited in the subject claims.

As noted above, amended independent claim 25 recites:

An electronic document answering system in a personal computer (PC) . . . wherein the electronic document answering system in the PC is adapted to operate using means for processing and means for storage operably coupled with the PC, and wherein the means for storage includes special operating code provided for the electronic document answering system, for the electronic document answering system to operate during periods of time when the **PC** is in reduced-power mode as well as when the **PC** is in full operating mode. (Emphasis added).

On page 10, the Office Action admits that neither Cooper nor Perlman, alone nor in combination, teaches the following features: "for the electronic document answering system to operate during periods of time when the **PC** is in reduced-power mode as well as when the **PC** is in full operating mode" (emphasis added). However, the Office Action improperly asserts that Clark teaches such features.

Based on the reasons provided above for amended independent claim 25, Clark does not teach or suggest the above-recited features, either alone or in combination with Cooper and Perlman. As such, Applicant's representative requests that the rejection to amended independent claim 25 (and amended claim 26, which depends therefrom) be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [VLEXP102USB].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicant's representative at the telephone number below.

Respectfully submitted,
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